



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

Agenda

Meeting of October 28, 2004

9:00 a.m., Commission Offices, 242 State Street, Augusta, Maine

NEW BUSINESS

1. Request for Matching Funds Based Upon Mailings by State Republican Party

The Senate Democrats have requested matching funds based on a number of mailings of cards by the State Republican Party. The Senate Democrats have submitted two cards that speak about the issues of health care and regionalization of government services. One side of each card suggests that Democrats will reduce services in the areas of health and education. The other side of the card describes a Republican approach to the issues, and refers to a Republican Senate candidate and four Republican candidates for the House of Representatives. No independent expenditure report was filed regarding the mailings because the State Republican Party believes that the cards are within the "slate card exception." The Senate Democrats are expected to argue that the cards do not fall within the slate card exception, and should trigger matching funds.

2. Request for Matching Funds by Senator Neria R. Douglass

Senator Neria R. Douglass has requested a determination whether she is entitled to receive matching funds based upon a mailing made on October 20 by the Tambrands company of Auburn to its roughly 600 employees. The mailing consisted of a voter guide published by the Maine Economic Research Institute and a form letter to the company's employees. Tambrands has responded that the mailing cost \$690, and that it was sent to 600 employees at their residences in 90 communities.

Missing "Paid for" Disclosure on Campaign Communications

Title 21-A M.R.S.A. §1014 requires that advertising and literature that advocates the election or defeat of a candidate include disclosure of which persons paid for the communication and whether the expenditure was authorized by the candidate. The disclosure provides the public with information as to who is supporting a candidate, and may also indicate if an independent expenditure report should be filed which would trigger matching funds.

The Commission has received four complaints regarding signs, ads, and literature that apparently did not include the "paid for" disclosure. If the Commission determines that the communications did not contain the required disclosure, it could find the candidates to be in violation and could assess a penalty of up to \$200.

3. Kim Davis

The House Democratic Campaign Committee filed a complaint regarding an advertisement for Kim Davis in the Kennebec Journal that did not contain the "paid for" disclosure. Ms. Davis has responded that her campaign paid for the ad, she is unsure why the ad did not contain the disclosure, and that the same ad will run in the October 27 issue of the paper with the disclosure. She is expected to address the Ethics Commission at the meeting.

4. Hon. Sean Faircloth

Donald C. Lewis, III filed a complaint regarding a sign for Representative Sean Faircloth that apparently did not contain the "paid for" disclosure. Rep. Faircloth promptly responded to a request by the Commission staff by checking all of his signs and applying stickers with the required disclosure. He notes that some signs from earlier campaigns had the disclosure stapled or taped on, and it is possible that the disclosure may have been torn off.

5. Paul R. Nixon

Representative Lawrence Bliss filed a complaint regarding an advertisement for Paul Nixon in the Forecaster newspaper that did not contain the "paid for" disclosure. Mr. Nixon has responded orally to the Commission staff that he has put a sticker with the required disclosure on all of his signs, and that he has attempted to put the disclosure on all future advertising.

6. Hon. Richard Sykes

Margaret Reimer filed a complaint regarding a card and a piece of mailed literature that did not contain the disclosure. The Commission staff received a telephone call from a resident of the district who complained that the signs in his area did not contain the disclosure as well. Representative Sykes has responded that he intends to add the disclosure on his signs, and to include the disclosure on all future literature.

Other

Miscellaneous as needed.

EXECUTIVE SESSION

If necessary.

ADJOURNMENT